Τ	H. B. 4400
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3 4 5	(By Delegates Caputo, Swartzmiller, Eldridge, Storch, Azinger, D. Poling, Iaquinta and Ellem) [Introduced February 11, 2014; referred to the
6	Committee on the Judiciary.]
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10	A BILL to amend and reenact $\$8-15-26$ of the Code of West Virginia,
11	1931, as amended, relating to violating provisions of the
12	civil service law for paid fire departments; and increasing
13	criminal penalties.
14	Be it enacted by the Legislature of West Virginia:
15	That $\S 8-15-26$ of the Code of West Virginia, 1931, as amended,
16	be amended and reenacted to read as follows:
17	ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL
18	SERVICE FOR PAID FIRE DEPARTMENTS.
19	§8-15-26. Offenses and penalties.
20	Any individual who makes an appointment or promotion to any
21	position, or selects an individual for employment contrary to the
22	civil service provisions of this article, or wilfully willfully
23	refuses or neglects otherwise to comply with, or to conform to, any
24	of the civil service provisions of this article, or violates any of

1 such those provisions, shall be deemed is quilty of a misdemeanor. 2 Any commissioner or examiner, or any other individual, who 3 shall wilfully willfully, by himself or herself or in cooperation 4 with one or more persons, defeat, deceive or obstruct defeats, 5 deceives or obstructs any individual with respect to his or her 6 right of examination or registration according to the civil service 7 provisions of this article, or to any rules and regulations 8 prescribed pursuant thereto, or who shall wilfully willfully or 9 corruptly, falsely mark, grade, estimate, or report falsely marks, 10 grades, estimates or reports upon any such examination or proper 11 standing of any individual so examined, registered or certified, 12 pursuant to the civil service provisions of this article, or aid 13 aids in so doing, or who shall wilfully willfully or corruptly 14 furnish furnishes to any individual any special or secret 15 information, for the purpose of either improving or injuring the 16 prospects or chances of appointment or promotion to any position of 17 any individual so examined, registered or certified, or to be so 18 examined, registered or certified, or who shall impersonate 19 impersonates any other individual, or permit or aid in any manner 20 any other individual to impersonate him or her, in connection with 21 any such examination or registration, or application or request to 22 be examined or registered, shall is, for each offense, be deemed 23 quilty of a misdemeanor.

Any person convicted of any such of these misdemeanor offense

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- 1 offenses shall be punished by a fine of not less than \$50 \$500, nor
- 2 more than \$1,000 \$10,000 or by imprisonment confinement in jail
- 3 for a term not exceeding one year, or by both  $\frac{\text{such}}{\text{such}}$  fine and
- 4 imprisonment confinement, in the discretion of the court.

NOTE: The purpose of this bill is increasing criminal penalties for violating provisions of the civil service law for paid fire departments.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.